

SILVER AND LEAD.

Bar silver, 99 3/4 cents.
Lead, brokers', 84.
Copper, casting, 12 1/2 cents.

TWENTY-EIGHTH YEAR.

THE SALT LAKE TRIBUNE.

SALT LAKE CITY, UTAH: THURSDAY, JANUARY 19, 1899

WEATHER TODAY.

Forecast for Salt Lake Today is:
Fair, stationary temperature.

NUMBER 315

FIVE JOINT BALLOTS FOR
SENATOR AND NO CHANGE

Sutherland and King, as Was Expected, Gained One
Each From Absent Supporters.

On Fourth Ballot McQuarrie Broke From King to Snow,
But Went Back On the Fifth.

FIFTH BALLOT.

King (Dem.)..... 19
McCune (Dem.)..... 11
Powers (Dem.)..... 8
Nebeker (Dem.)..... 1
Sutherland (Rep.)..... 14
Cannon (Sil. Rep.)..... 3
Absent and not voting..... 2

Total..... 63
Necessary to a choice..... 31
The vote in detail:

SENATORS.

For King.—Bennion, Cannon, Robison, Thomas—4.
For McCune.—Chambers, Evans, Smoot, Whitney, Wright—5.
For Powers.—Aquila Nebeker, W. G. Nebeker, Riddett—3.
For Nebeker.—Peery—1.
For Sutherland.—Alder, Howell—2.
For Cannon.—Kiesel, Shurtliff—2.
Absent.—Senator Tanner—1.

REPRESENTATIVES.

For King.—Betta, Fisher, Fullmer, Greenwood, Hansen, Horne, Larsen, McQuarrie, Mansfield, O'Neil, Parry, Redd, Robertson, Stewart, Wheel-
er—15.
For McCune.—Bennion, Bywater, Clyde, Cummings, Farr, Shepard—6.
For Powers.—Cook, Forman, Jackson, Lapsch, Roylance—5.
For Sutherland.—Callister, Christianson, Crosby, C. Z. Harris, Holmgren, Law, Miller, Murdock, Robinson, Sorenson, Taylor, Welch—12.
For Cannon.—Bramwell, N. J. Harris, Ivers, Johnson, Smith—5.
Absent.—Lloyd and Richards—2.

Five ballots for a United States senator from Utah were taken in the joint session of the legislature yesterday noon without materially changing the result from the previous day's voting in the state senate and house separately. The second, third and fifth ballots were exactly the same as the first. On the fourth Representative McQuarrie broke away from King and voted for ex-Senate Senator Edward H. Snow, but on the last ballot called the member from Washington county saving back to his first choice. This was the only incident of the proceeding that momentarily gave promise of weakening the support of the candidate who, to date, in the lead. But the move was premature, and Mr. McQuarrie contented himself with giving the audience and

noon. At the same time a switching to second choice is anticipated from several parts of the Democratic side of the joint assembly.

LEGISLATORS IN JOINT SESSION.

Promptly at noon the senators and representatives convened in the representatives' hall, with President Nebeker in the presiding officer's chair. The secretary of the senate and the chief clerk of the house called the roll of their respective houses. Then Senate Chaplain Cummings offered a brief and appropriate prayer, after which Tuesday's journal of each house was read. It appears from the reading of the journals," said President Nebeker, "that there has been no election of a senator, and the joint assembly will now proceed to ballot for a senator, as required by law. The secretary of the senate will call the roll of the senate, and the chief clerk of the house will call the roll of the house, and each member's name is called by or she will arise and announce his or her choice for senator."

Senator Bennion's name was first on the roll, and his response was simply, "I vote for Hon. W. H. King." Then Senator Martha H. Cannon responded to her name in this manner: "Mr. President, Members of the Legislature and Visiting Friends: The candidate whom I shall this day vote for as United States senator, has an honorable career, so well known that it needs no additional eulogy from me. I heard his colleagues at the national capital speak of him as the able man from the intermountain west, and his keen intuitive insight and native ability has won for him both national and international renown. I cast my ballot for the Hon. W. H. King."

The responses that followed from the legislators were invariably: "A. W. McCune," "O. W. Powers," "Frank J. Cannon," or "George Sutherland." Senator Peery steadily and alone announced the name of Aquila Nebeker. Mrs. Horne declared for William Henry King.

The first ballot resulted as follows: For King, 19; for McCune, 11; for Powers, 8; for Nebeker, 1; for Cannon, 3; for Sutherland, 14; absent and not voting, 2.

The detail of the vote was as given above. The president declared that no candidate had received a majority of all votes cast, and immediately Senator W. G. Nebeker moved to take another ballot. The motion prevailed without any opposition whatever.

The same procedure of voting was gone through, and with the same result for the second and third ballots. At the

ing which Mouse Ear shot and killed Rats. Then Mouse Ear died. He made good his escape for a time. But after a two weeks' chase he was finally captured by members of his tribe and brought back to the reservation. A consultation was held with one of the officers of Lincoln county as to the law in the case. The officer finally told the Indians there was no law by which the deer could take charge of the murderer.

The Indians then took Mouse Ear to Jim Harris, who is postmaster at the Moapa reservation, and asked him what they should do with their prisoner.

Harris informed them he had no counsel to give them; that they were to do as they pleased. They rode off and held a council of war, in which it was decided that the son of the prisoner should shoot him. This the young buck agreed to do. Mouse Ear was put on horseback. Two paces behind him his son was stationed. At the signal the young buck fired. The father tottered for a moment, then fell from his startled pony to the ground. He was dead.

A big pow-wow followed, during which the excitement was given an ovation, and the returned to the dignity of second chief.

This way of dispensing law was the saving to Lincoln county of \$200 or \$400. The distance from where the deed was committed to Pioche, the county seat, is about 100 miles.

SON EXECUTES FATHER OFFICERS, NAMED
TO TRY EAGAN

Tale of Savage Justice Among
Moapa Indians.

RATS' DEATH AVENGED

MOUSE EAR, HIS SLAYER, SHOT
BY HIS SON.

Young Buck Who Acted as Father's
Executioner, Elevated to Rank of
Second Chief—Trouble Grew Out of
Quarrel Between Rats and His
Squaw.

(Special Correspondence.)
Stateline, Utah, Jan. 18.—Aborigine justice was recently meted out to a murderer by the Moapa Indians.

The story is a thrilling one of murder and vengeance by the tribesmen of the murdered and murderer. With savage made his executioner. It was while prospecting in southern Nevada that the correspondent of The Herald learned the facts of the crime and its punishment.

It appears that a Moapa buck named Rats quarreled with his squaw, who left him and went to live with another Indian, Mouse Ear, by name.

Rats learned of his squaw's whereabouts and went to Mouse Ear's wigwag, where he attacked and killed him.

Washington, Jan. 18.—The detail for the court martial which is to try Commissary General Eagan on charges growing out of his statements before the war investigation commission last week, in which he attacked General Miles, was made public at the war department tonight. The court is made

General Merritt is President
of the Court.

ALL ARE REGULARS
EXCEPT GEN. BUTLER

Foul-mouthed Commissary Will Be
Relieved Today.

Constructively Under Arrest, and Ex-
pected to Make Himself Inconspic-
uous, But Will Not Be Actually
Placed In Custody—Court Is to
Meet On the 25th, and Will Con-
sist of Thirteen Members—Charges
to Be Published.

Washington, Jan. 18.—The detail for the court martial which is to try Commissary General Eagan on charges growing out of his statements before the war investigation commission last week, in which he attacked General Miles, was made public at the war department tonight. The court is made

General Merritt, at New York; General Wade and Butler, at Washington; General Young, at Augusta; General Frank, at Atlanta, Ga.; General Pennington, at Atlanta, Ga.; General Randall, at Greenville, S. C.; General Kline, at Athens, Ga.; General Combs, at Huntsville, Ala.; Colonel Haines, at Baltimore; Colonel Gillespie, at New York; Colonel Suter, at Boston; Colonel Guether, at the Washington barracks, and Lieutenant Colonel Davis, at West Point.

General Corbin suggested that the order for the appointment of the court martial would be delivered to General Eagan either tonight or tomorrow morning. This, it is expected, will be done by an officer or an employee of the adjutant general's office. His receipt and acknowledgment by the commissary general will be tantamount to the relief of that officer from his present duties, and he will turn over its affairs either to some one designated to act by the secretary of war, or to the officer next in charge of the department. Lieutenant Colonel George B. Davis of the commissary department is now on duty with General Eagan, and it may be that he will be detailed to take charge of the office.

CONSTRUCTIVE ARREST.

If the course indicated by an officer of the adjutant general's office tonight is followed, the probability is that General Eagan will not be placed under actual arrest and deprived of any of his liberty pending and during the trial, but will be subject only to constructive or technical arrest during that time. In the case of officers of high rank this is occasionally done, but not often, and this course does not in any way invalidate the trial or findings of the court. General Eagan will be expected to remain away from his office and make himself inconspicuous until his appearance before the court to answer the charges, when he will be placed under constructive arrest, to remain so during its proceedings. This is believed to be carrying out the intent of the law for all practical purposes, and may be



his colleagues a little scare and at the same time paying a tribute to the Dixie man.

The only modification from the first ballot in separate houses on Tuesday was the switching of W. H. King's vote to nineteen by Senator Cannon's announcement of his preference for him, and George Sutherland, the recipient of the Republican vote, gaining from 12 to 14 by the response of Representative Miller to the roll call. These two were absent Tuesday.

Yesterday's absence were Representatives Lloyd and Richards and Senator Tanner. The latter is sick with influenza at the Walker House, and Mr. Richards is detained at his home in Pioche by sickness in his family. Mr. Lloyd has been to Smithfield to bury his aged father, but he expects to be in his seat today at noon, when the balloting will be resumed.

Supporters of the several candidates anticipate a significant change in today's voting. The Republican votes will go in complete loyalty to another representative party man, probably to Fred Street of Provo, but it is not unlikely that a disintegration of the Republican strength will commence this

(Continued from Page 2.)

RIO GRANDE WESTERN
Orders Supplies For a Party of Sur-
veyors.

TAKE THE FIELD AT ONCE

WILL SURVEY FROM CREVASSE
TO THE GILSON MINES.

The Shipping Done Heretofore By
Wagons—New Branch Will Open
Up a Country of Vast Resources—
Will Have the Whole World For a
Market.

(Special to The Herald.)
Fruita, Colo., Jan. 18.—F. E. Baxter, engineer for the Rio Grande Western railroad, has placed an order with the Roth Hardware company of this place for supplies and outfit for a party of surveyors, who start a survey at once from Crevasse, a station on the line of the R. G. W., eight miles west of this place, to the Gilson and Gilson mines, forty-five miles to the northwest, where it is known that there are millions of tons of this valuable mineral in the vein in the northwestern part of this state and the northeastern part of Utah, and when the market for this output it will be more readily realized what enormous proportions the business is liable to assume as soon as a railroad transportation is opened up.

Shipping has been before carried from this place. For several years the mineral was hauled from here to the mines with wagons, a distance of sixty miles, but the demand for the mineral has increased so rapidly that wagon transportation was too slow. Hence the demand for better shipping facilities by this line. The new branch will open up a country whose vast resources are unsurpassed by any country. The valleys of the White River and the Yampa rivers, and their tributaries abound in vast herds and agricultural products, and in the hills are discovered and hidden bands of wealth of gold, silver and copper ore, slate and petroleum. With these vast resources of wealth added to the country annually, and will place the line in a position for new operations within easy reach of the outside world.

Settlement of the Strike Is Only Temporary—Contractors Offered Fancy Prices For the Outfit.

PRICE FREIGHTERS AT WORK

PULLED OUT FOR FT. DUCHESENE
YESTERDAY.

Settlement of the Strike Is Only Temporary—Contractors Offered Fancy Prices For the Outfit.

(Special to The Herald.)
Price, Utah, Jan. 18.—There was a complete lay-down of the contractors in the hauling of government freight this morning, and the teamsters who had held out for a week for their price—\$2 per hundred from here to Fort Duchesne—an increase of \$1.50—went out from the quartermaster's department with all their outfit could haul. There were about 20,000 rounds of ammunition for the soldiers at Fort Duchesne, and it will take five days to make the trip. Telegraph messages from Fort Duchesne are to the effect that teams are being loaded there with incoming stuff, several teams having been secured after it was known the strike at this end had been settled.

Last night the original contractors were offering all kinds of fancy prices here for wagons and teams of four and sixes, but none of the freighters would sell. The price paid today is thought to be only temporary, and unless the stuff hereafter is hauled at about 60 cents, the original contractors will yet put on their own outfit.

There seems to be trouble all around on government contracts. Kirk Johnson, who supplies the Fort Duchesne barracks with wood, has been unable to supply cedar wood at \$3 a cord and pine at \$5. The government went into the open market and pays an advance of \$5 on the first and \$8 on the latter. The contract was for 1,000 cords.

Struck By an Engine.
(Special to The Herald.)
Cheyenne, Wyo., Jan. 18.—James Walsh, an old man, was struck by an engine in the yards here today and received a broken leg and arm and internal injuries which will probably result fatally.

Eloping Couple Pursued.
(Special to The Herald.)
Wheatland, Wyo., Jan. 18.—Charles Wheatland, the business man, and Rose Ryan, the half-breed Indian girl who eloped last week, are believed to be in Chicago, as they bought tickets at Cheyenne for that point. Officers rode for the windy city to apprehend the pair. Marshall left a wife and three small children. The Indian girl had been a domestic in his home for two years.

Wyoming Legislators Return.
(Special to The Herald.)
Cheyenne, Wyo., Jan. 18.—The members of the state legislature returned this morning from their junketing trip through southern Wyoming, and resumed work today. Last night they were given a banquet at Laramie by citizens of that place. The affair was attended by the governor, members of the supreme bench and state officers.

FAMOUS SCOUT MISSING.
(Special Correspondence.)
Cheyenne, Wyo., Jan. 18.—Colonel Tom Cooper, an old-time citizen of this place, has been missing from his home for ten days and his present whereabouts are unknown. He recently opened a big saloon here and gave a mortgage on his home in this city to raise sufficient money to purchase some elegant fixtures which he placed in the saloon. Cooper did not show up for several days and it was thought he was off on a spree. His continuing absence created considerable anxiety and a search was begun. He has not been found and creditors have seized his saloon and contents. Cooper is widely known as a guide and scout for exploring and tourist parties. He was one of Custer's scouts at the time that officer was killed on the Little Big Horn.

Death In the Twenty-fourth.
(Special to The Herald.)
Cheyenne, Wyo., Jan. 18.—Bruce McClellan, company A, Twenty-fourth infantry, died today at Fort Russell. McClellan was 18 years old.

Ambassador Romero's Successor.
Mexico City, Jan. 18.—It is reported in high circles that President Diaz is considering the name of Manuel Aspiroz for the vacant ambassadorship to the United States. Senior Aspiroz is the assistant secretary of foreign relations. He is a native of the state of Puebla, about 35 years old, and one of the ablest men in the government. He has been a steadfast liberal in politics and had the confidence of President Juarez.

THE HERALD BULLETIN.
PAGE ONE
Five Joint Ballots For Senator,
Without Change.

Savage Justice Among Moapa Indians.
Samoan Natives Fight a Battle.
Rio Grande Western To Build.

PAGE TWO
Pacific Cable Bill.
Revolt In Pennsylvania.
Masonic Grand Lodge.

PAGE FOUR
Editorial.
PAGE FIVE
Regular Business In Legislature.
Prisoners Arraigned.
In Railway Circles.

Governor Wells Appoints Sergeant Young a Lieutenant.
PAGE SIX
The Old Bill Nye.
Financial and Commercial.

PAGE EIGHT
McCune Expected to Receive Several Accessions Today.
The Astor Battery Arrives.
City Attorney's Report.

SAMOAN NATIVES
FIGHT A BATTLE

Apia Burned and Many Warriors
Killed.

HIGH-HANDED COURSE
OF GERMAN OFFICIALS

Deposed American Chief Justice and
Incited the Rebellion.

Justice Chambers Sought Refuge On
Board the British Warship Until
Reinstated By British Marines—
Malletta Was Regularly Declared
King, But the Germans Recognized
the Opposing Faction—Seventy-three
Killed and Wounded.

Auckland, N. Z., Jan. 18.—Samoan news just received here says that Chief Justice Chambers, who had fled from Malletta, Samoa, to the British warship, in succession to the late King Malletta. The chief justice also announced that Tanamua had been elected vice king. Chief Malletta was disqualified.

The consuls of the United States and Great Britain and the captain of the German warship, the Falke, and the British warship, the Malletta, who refused to recognize Malletta, Tanamua, and declined to co-operate in the disposal of the Samoan government, were upon assembly in large numbers at Apia, armed themselves and surrounded the municipality. Malletta, Tanamua and Tanamua's supporters, who numbered about 2,000 men, well armed, but supplied with defective ammunition. The British and American consuls endeavored to avert hostilities, but they were commenced on Jan. 15. Malletta, Tanamua and Tanamua's forces, but 100 of their followers were captured. Then, disarmed and outnumbered, the two chiefs sought refuge on the British warship, and their followers sought protection under the guns of the Falke.

Malletta's loss was sixty-one men killed and wounded, and Malletta, Tanamua lost twelve men killed and wounded.

The foreign residents were placed under the protection of a detachment of men belonging to the British ship, and Chief Justice Chambers and his family went on board of her.

The followers of Malletta looted and burned Apia, destroyed the plantations and pilfered considerably in the country.

The consuls decided to recognize Malletta and his chiefs as a provisional government, pending the receipt of instructions from the powers.

After Tanamua's forces and the German consul placed the supreme court, declaring that the power was vested in them. The British and American consuls then assumed the responsibility of the situation, and the German consul, who had a force of blue-jackets, and Chief Justice Chambers, under their guard, took his seat.

Malletta held aloof from these last developments. The excitement continues.

SITUATION IS GRAVE.
Reports Indicate the Germans Have
Violated the Treaty.

Washington, Jan. 18.—The situation in the Samoan islands is realized here to be full of gravity. For some time past there has been an exchange of correspondence between the governments, parties to the treaty, but the treaty has been violated in many particulars.

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